

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम,  
१९६६ चे कलम-३७ (१ए) अन्वये  
भिवडी-निजामपूर विकास नियंत्रण  
निवनावलीतील फेरबदलाबाबत.

महाराष्ट्र शासन  
नगर विकास विभाग  
शासन निर्णय क्रमांक:टिपीएस-१२०५/२४३६/प्र.क्र.१०७/०६/नवि-९२  
मंत्रालय मुंबई-४०००३२  
दिनांक:-१६ मार्च, २००६

शासन निर्णय:- सोबतची शासकीय नोटीस महाराष्ट्र शासनाच्या असाधारण राजपत्रात  
प्रसिद्ध करावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

( सुधाकर नांगुरे )  
महाराष्ट्र शासनाचे उपसचिव

प्रति,

विभागीय आयुक्त, कोकण विभाग, कोकण भवन, नवी-मुंबई.  
आयुक्त, भिवडी-निजामपूर महानगरपालिका, भिवडी.  
संचालक नगर रचना, महाराष्ट्र राज्य, पुणे.  
उपसंचालक नगर रचना, कोकण विभाग, कोकण भवन, नवी-मुंबई.  
जिल्हाधिकारी, ठाणे, जि. ठाणे.  
सहायक संचालक नगर रचना, ठाणे शाखा, जिल्हाधिकारी इमारत, ठाणे.  
व्यवस्थापक शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.  
(त्यांना विनंती की, सोबतची शासकीय नोटीस महाराष्ट्र शासनाच्या असाधारण  
राजपत्रात भाग-१ कोकण विभागीय पुरवणी भाग-१ मध्ये प्रसिद्ध करावी व त्याच्या प्रत्येकी १०  
प्रती या विभागास, आयुक्त, भिवडी-निजामपूर म.न.पा.स व संचालक नगर रचना, महाराष्ट्र  
राज्य, पुणे यांना पाठवाव्यात.)  
✓ कक्ष अधिकारी (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई.  
त्यांना विनंती करण्यात येते की, सदर सूचना शासनाच्या वेबसाईटवर प्रसिद्ध  
करावी  
निवडनस्ती (कार्याग्न नवि-९२)

MAHARASHTRA REGIONAL TOWN  
Town Planning Act, 1966.

- Notice under section 37(1AA) of ..
- Modification to Development Control Regulation for Bhivandi Nizampur City.

**GOVERNMENT OF MAHARASHTRA**  
Urban Development Department,  
Mantralaya, Mumbai 400 032.  
Dated: 15<sup>th</sup> March, 2006.

**NOTICE**

No. TPS 1205/2436/CR-107/06/UD-12:

Whereas the Development Control Regulations of Bhivandi Nizampur City Municipal Corporation (hereinafter referred to as "the said Regulations") have been sanctioned by the Government excluding in excluded parts vide Urban Development Department Notification No. TPS-1299/331/CR-45/99/UD-12 dated 30/3/2001, under section 31(1) of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to come into force with effect from 1/3/2001. The excluded parts have been sanctioned by Government vide Urban Development Department Notification No. TPS 1299/331/CR-45/99/UD-12 to come into force with effect from 14/8/03;

And whereas as there are existing Industries in Municipal Corporation area which are not running at present. There are no provision in the sanctioned development control regulations.

And whereas, Government has carefully examined the provisions of other Municipal Corporation and found it expedient in the public interest to modify these regulations. Govt. also found it expedient to take recourse to the provisions contained in the section 37 (1 AA) of the said Act;

Now therefore in accordance with the provisions contained in section 37(1AA) of the said Act, Govt. hereby publish this notice for inviting suggestions and objections to the proposed Regulations contained in Schedule-A from the public with reasons thereof within 30 (thirty) days from the date of publication of the notice in Maharashtra Government Gazette. The suggestions and objections shall be addressed to the Dy. Director of Town Planning, Kokan Division, Kokan Bhvan, New-Mumbai, who is hereby appointed as an officer under section 162 of the said Act and authorised to hear the suggestions and objections which may be received within the aforesaid stipulated period and submit his report to Govt. The suggestions and objections received within the aforesaid stipulated period will only be considered by Govt.

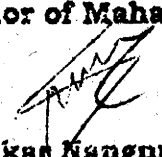
Note:-

**A) A copy of the proposed modification i.e. Schedule-A is kept open for inspection by the general public in the offices of the following officers on all working days during working hours:**

- 1) Dy. Director of Town Planning, Koken Division, Koken Bhvan, New-Mumbai.**
- 2) The Municipal Commissioner, Bhivandi Nizampur City Municipal Corporation, Bhayander.**

**B) This notice is also available on Govt. web site [www.urban.maharashtra.gov.in](http://www.urban.maharashtra.gov.in)**

**By order and in the name of the Governor of Maharashtra,**

  
**(Sudhakar Nangnure)**  
**Deputy Secretary to Government**

## SCHEDULE-A

(Accompaniment to notice No. TPS 1205/2435/CR-107/06/UD-12 dated 16<sup>th</sup> March, 2006)

### Modification No.1:

New sub-regulation No.56.2 (b) as mentioned below shall be added after sub-regulation No. 56.2(a)

#### **56.2(b) :**

- 1) With the previous approval of Commissioner and on such conditions as deemed appropriate by him, the existing or newly built-up area of unit, in the industrial zone may be permitted to be utilised for an office or commercial purposes.
- 2) With the previous approval of the Commissioner, any open land or lands or industrial lands in the Industrial zone may be permitted to be utilised for any of the permissible users in the Residential zone (R-1 zone) or the Residential zone with shop line (R-2 Zone) or for those in the Commercial zone (C1 & C2 zone) subject to the following:-
  - i) The conversion of Industrial Zone to Residential/ Commercial Zone in respect of closed industries shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. Provided that where conversion has been permitted on the basis of this certificate, occupation certificate will not be given unless a no dues certificate is granted by Labour Commissioner.
  - ii) The layout or sub division of such land admeasuring about 2.00 Ha. shall be approved by the Commissioner, who will ensure that 5% land for public utilities and amenities like electric sub-station, bus-station, sub-post office, police out post and such other amenities, as may be considered necessary, will be provided therein.
  - iii) In such layouts or sub-divisions having area more than 2 ha. But less than 5 ha., 20% land for public utilities and amenities like electric sub-station, bus station, sub post office, police out post, garden, playground, school, dispensary and such other amenities shall be provided.
  - iv) In such layout of sub-division each more than 5 Ha. in area, 25% of land for public utilities and amenities like electric substation, Bus station, sub post office, police outpost, garden, playground, school, dispensary and such other amenities shall be provided. These areas will be in addition to the recreational space as required to be provided under these regulations.
  - v) The required segregating distance as prescribed under these regulations shall be provided within such land intended to be used for residential or commercial purpose.

- vi) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone.
- vii) Provision for public utilities and amenities shall be considered to be reservation in the Development Plan and transferable development rights as Appendix -IV, Regulation No. 34 or FSI of the same shall be available for utilisation on the remaining land.

**Note :**

- I) Conversion from Industrial zone to residential / commercial zone shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part. Mixed user shall not allowed.
- II) The existing reservation of Development Plan, if any, ( within the percentage mentioned above, for public amenities and utilities ) will be extinguished and they will be covered in new regulation.
- III) Out of the total area proposed to be utilised for residential development, 20% of the same shall be built for residential tenements having built up area upto 50 sq. mtrs.


**Modification No.2:**

Regulation No. 32-A(i) in table at Sr. No.4.	In Sr. No.4 of table under Regulation No. 32-A following words shall be added:  However, the area for FSI computation shall be 90% of net area (after deducting amenity area) in case of change of Industrial user to Residential user as specified in Regulation No.36.2(b).
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**Modification No.3:**

Following proviso shall be added in Sr. no. 13 of Appendix-IV, regulation No. 34.

However, such FSI on the receiving plots under prescribed regulation shall be allowed to 100% of the gross plot area without deducting the required public amenity space.

  
 (Sudhakar Nangnure)  
 Deputy Secretary to Government